

by vote, shall direct them so to do. They may also sell lots therein, and convey title to the same, and have the care and custody of the grounds. Deeds of lots in said cemetery shall be as other deeds of real estate, except they shall be used for cemetery purposes only, and be signed by the president and the village recorder.

SEC. 31. This act shall take effect and be in force from and after its passage.

Approved March 2, 1874.

CHAPTER X.

AN ACT TO INCORPORATE THE VILLAGE OF NEW TRIER, IN THE COUNTY OF DAKOTA.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All that part of the township of Hampton, county of Dakota, and state of Minnesota, hereinafter described, shall be known and constitute the village of New Trier, and as such corporation shall have all the powers generally possessed by municipal corporations at common law, and in addition thereto shall possess all the powers hereinafter granted, and by that name may sue and be sued, make contracts, purchase, take and hold real and personal property, and have a corporate seal, alterable at pleasure.

SEC. 2. The territory included in said village of New Trier shall be all of the territory included in said township of Hampton, as follows: The west half of the southwest quarter of section twelve, and another parcel of land commencing on the southeast corner of section eleven, thence running north eighty rods, thence west fifty rods, thence south fifty rods, thence west sixteen rods, thence south thirty rods, thence east sixty four rods to the place of beginning; also, another parcel of land commencing on the northeast corner of section fourteen, running thence west twenty-four rods, thence south twenty-four rods, thence east twenty-four rods, thence north twenty-four rods, to the place of beginning; also, another parcel of land, commencing on the northwest corner of section thirteen, running thence east twenty-four rods, thence south twenty-four rods, thence west twenty-four rods, thence north twenty four rods, to the place of beginning; all

the above lands lying and being in township one hundred and thirteen, north of range number eighteen west, in the state of Minnesota.

SEC. 3. The elective officers of said corporation shall be one president, one recorder, three trustees, one treasurer, one assessor, one justice of the peace, who shall be styled police justice, and one constable, who shall be styled marshal, and they shall each hold their office for the term of one year and until their successors are elected and qualified. In addition to the above mentioned officers, the common council shall have power to appoint and define the duties of such other officers as the said council may deem necessary. All village officers shall be qualified electors of the state.

SEC. 4. Each officer before entering upon the duties of his office, and within ten days after receiving notice of his election, shall give notice in writing of his acceptance of the same to the recorder, and shall take and subscribe before some officer by law authorized to administer oaths, an oath of office to support the constitution of the United States and the constitution of the state of Minnesota, and that he will faithfully perform the duties of his office in accordance with law and the ordinances of said village. And in addition thereto, the treasurer, recorder, justice of the peace and constable, shall each give a bond for not less than four hundred dollars each, to be determined by said council, conditioned for the faithful performance of the duties of their respective offices, which bond be filed with the recorder of said village.

SEC. 5. There shall be an annual election held on the first Monday in April of each year, at which the electors residing within the limits of said village, qualified to vote at town elections, may choose by ballot and by plurality of votes the trustees, treasurer and justices of the peace of said village. The trustees shall act as judges of election in said village, but in case of the absence of either of them any qualified voter of said village may be selected by the voters present to act as such judge. At all village elections held under this act the polls shall be opened at one o'clock in the afternoon, and continue open until four o'clock in the afternoon of the same day; the election shall be by ballot and shall be conducted and governed in the same manner, as near as may be, as township elections. The village clerk shall give such notice of such elections as is provided by law for notice of town elections; *Provided*, That any failure by the clerk to give such notice as aforesaid shall not in any manner invalidate such election. Special meetings may be called at any time by the trustees of said village upon the petition of six legal voters and freeholders of said village, by giving the notice above required, stating the object of such meeting. The first election in said village under this act shall be holden on the first Monday of

April, A. D. 1874, and Nickolas Riplinger, Frank Gores and John Moes, or any two of them shall act as judges of said election, and shall give ten days' notice of such election and the place of holding the same, by posting up three notices of the same in three public places in said village. They shall canvass the votes and issue certificates of election to those having the highest number of votes.

SEC. 6. Said village of New Trier and the remaining portion of the township of Hampton outside of said village, shall, for general election purposes, constitute as heretofore an election district of said Dakota county, and the officers of said township of Hampton shall conduct such general election under the laws of the state; and the said township of Hampton may hold their general and township elections within the corporate limits of the said village of New Trier, if such township shall by majority vote resolve so to do.

SEC. 7. The justice of peace, clerk and treasurer shall respectively possess all the powers, and enjoy all the rights, and be subject to all the liabilities, rules, laws and fees, as far as the same may apply, as such township officers are by the general laws of the state, and their bonds shall run to the trustees of said village and their successors in office. The marshal shall have all the powers and perform all the duties, be under the same liabilities, and receive the same compensation for his services as a township constable, throughout his county. *Provided*, That the trustees shall receive all moneys belonging to said village, keep a just and true account thereof, in a book to be provided by the trustees for that purpose, and shall pay out the same only upon the order of the president of the board of trustees attested by the clerk. He shall settle with the trustees at the close of each year and oftener if required to do so by said trustees. It shall be the duty of the marshal to arrest all disorderly or drunken persons in said village, and for this purpose he shall have all the authority and power of the sheriff of his county.

SEC. 8. A majority of the trustees shall be a quorum for the transaction of business, they shall appoint a clerk, assessor and marshal, and such other officers as may be deemed necessary, and may prescribe by laws the duties of such officers when not defined by law, the trustees may enact ordinances and by-laws for all purposes contemplated in this act, and may affix penalties for violating the same, and they shall be signed by the president and clerk, and be filed and recorded by the clerk, and be posted up in three public places in said village ten days or more.

SEC. 9. It shall be the duty of the assessor to assess all property liable to taxation within the limits of said corporation and in the discharge of his duties he shall be governed by the laws of the state, in the same manner as township assessors.

SEC. 10. The trustees shall report to the auditor of Dakota county, on or before the first day of August, of each year, the amount of general and special taxes levied upon any of the property or lots in said village of New Trier, and it shall be the duty of the county auditor to insert such taxes in the assessment roll of said village, and the same shall be collected by the county treasurer or returned by him as delinquent. And all proceeding in relation thereto, including the selling, conveying and redeeming the same, shall be as in proceedings on account of other property under the laws of this state.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved March 3, 1874.

CHAPTER XI.

AN ACT TO AMEND "AN ACT TO INCORPORATE THE BOROUGH OF NEW ULM AND TO REPEAL ITS PRESENT ACT OF INCORPORATION."

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section two of chapter four of said act be amended by striking out the words, "*Provided, however,* That twenty-five dollars shall be the maximum, and five dollars shall be the minimum for such license," where the same occur.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 9, 1874.